

JAN 10 2008

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

KRIKOR AGHOIAN,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney
General,

Respondent.

No. 07-72300

Agency No. A72-401-508

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted January 7, 2008 ^{**}

Before: O'SCANNLAIN, SILVERMAN and GRABER, Circuit Judges.

This is a petition for review of a Board of Immigration Appeals' ("BIA")
order dismissing petitioner's appeal for failure to file his appellate brief.

^{*} This disposition is not appropriate for publication and is not
precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without
oral argument. *See* Fed. R. App. P. 34(a)(2).

The regulations provide that the BIA may summarily dismiss any appeal where appellant indicates on the Notice of Appeal that appellant will file a brief or statement in support of the appeal and, thereafter, does not file the brief or reasonably explain the failure to do so, within the time set for filing. *See* 8 C.F.R. § 1003.1(d)(2)(i)(E). Accordingly, the BIA did not abuse its discretion in dismissing petitioner's appeal after petitioner indicated on his Notice of Appeal that he would file a separate written brief or statement, and then failed to do so within the time allotted for filing.

Petitioner has further failed to identify any issue sufficiently substantial to warrant further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam). Accordingly, this petition for review is denied.

PETITION FOR REVIEW DENIED.